

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

TEXTILE COMPUTER SYSTEMS, INC.,

Plaintiff,

v.

BROADWAY NATIONAL BANK D/B/A
BROADWAY BANK,

Defendant.

CIVIL ACTION NO. 6:21-cv-1050-ADA

JURY TRIAL DEMANDED

TEXTILE COMPUTER SYSTEMS, INC.,

Plaintiff,

v.

CHARLES SCHWAB BANK,

Defendant.

CIVIL ACTION NO. 6:21-cv-1051-ADA

JURY TRIAL DEMANDED

TEXTILE COMPUTER SYSTEMS, INC.,

Plaintiff,

v.

COMERICA BANK,

Defendant.

CIVIL ACTION NO. 6:21-cv-1052-ADA

JURY TRIAL DEMANDED

TEXTILE COMPUTER SYSTEMS, INC.,

Plaintiff,

v.

FROST BANK,

Defendant.

CIVIL ACTION NO. 6:21-cv-1053-ADA

JURY TRIAL DEMANDED

TEXTILE COMPUTER SYSTEMS, INC., Plaintiff, v. INDEPENDENT BANK, Defendant.	CIVIL ACTION NO. 6:21-cv-1054-ADA <u>JURY TRIAL DEMANDED</u>
TEXTILE COMPUTER SYSTEMS, INC., Plaintiff, v. INTERNATIONAL BANK OF COMMERCE, Defendant.	CIVIL ACTION NO. 6:21-cv-1055-ADA <u>JURY TRIAL DEMANDED</u>
TEXTILE COMPUTER SYSTEMS, INC., Plaintiff, v. SOUTHSIDE BANK, Defendant.	CIVIL ACTION NO. 6:21-cv-1056-ADA <u>JURY TRIAL DEMANDED</u>
TEXTILE COMPUTER SYSTEMS, INC., Plaintiff, v. TEXAS CAPITAL BANK, Defendant.	CIVIL ACTION NO. 6:21-cv-1057-ADA <u>JURY TRIAL DEMANDED</u>

<p>TEXTILE COMPUTER SYSTEMS, INC., Plaintiff, v. VANTAGE BANK TEXAS, Defendant.</p>	<p>CIVIL ACTION NO. 6:21-cv-1058-ADA <u>JURY TRIAL DEMANDED</u></p>
<p>TEXTILE COMPUTER SYSTEMS, INC., Plaintiff, v. WOODFOREST FINANCIAL GROUP, INC., WOODFOREST FINANCIAL SERVICES, INC., and WOODFOREST NATIONAL BANK, Defendants.</p>	<p>CIVIL ACTION NO. 6:21-cv-1059-ADA <u>JURY TRIAL DEMANDED</u></p>

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court's Scheduling Orders in the above-captioned cases, Plaintiff Textile Computer Systems, Inc. ("Textile") and Defendants Broadway National Bank d/b/a Broadway Bank, Charles Schwab Bank, Comerica Bank, Frost Bank, Independent Bank, International Bank of Commerce, Southside Bank, Texas Capital Bank, Vantage Bank Texas, Woodforest Financial Group, Inc., Woodforest Financial Services, Inc., and Woodforest National Bank (collectively, "Defendants") submit this Joint Claim Construction Statement for the patents-in-suit: U.S. Patent Nos. 8,505,079 ("the 079 Patent"), 8,533,802 ("the 802 Patent"), 9,584,499 ("the 499 Patent"), 10,148,659 ("the 659 Patent"), and 10,560,454 ("the 454 Patent"), along with Appendix A (showing the asserted claims with disputed terms in bold).

I. Agreed Constructions

	Claim Term, Phrase, or Clause	Agreed Construction
1	claim preambles	<i>The preambles are non-limiting.</i>

II. Disputed Claim Terms

	Claim Term, Phrase, or Clause	Proposing Party	Textile's Proposed Construction	Defendants' Proposed Construction (Excl. Schwab)	Schwab's Proposed Construction	Court's Construction
2	order of steps in method claims 079 claim 11 802 claim 11 499 claims 1, 3 659 claim 1 454 claim 1	all defendants	<i>No order is required (other than that inherently required by the claim limitations).</i>	<i>Each method claim must be performed in the order of operation claimed.</i>	<i>Each method claim must be performed in the order of operation claimed.</i>	
3	[unauthorized] service client 079 claims 1, 7, 11, 17 802 claims 1, 7, 11, 17 499 claims 1, 3 454 claims 1, 5, 8, 12	all of the parties	[unauthorized] retail store, service station, on-line service provider or merchandiser, healthcare provider, medical insurer, information consumer, or the like	An [unauthorized] entity that can request access to a secured resource	<u>Service client:</u> A client program, software, or application that receives access to a secured resource. <u>Unauthorized service client:</u> A service client	

	Claim Term, Phrase, or Clause	Proposing Party	Textile's Proposed Construction	Defendants' Proposed Construction (Excl. Schwab)	Schwab's Proposed Construction	Court's Construction
			<i>The claimed system/method must restrict the service client from access to the common identifier for the secured resource.</i>		that uses an authentication credential instead of a common identifier to access the secured resource.	
4	secured resource 079 claims 1, 3, 7, 11, 12, 13, 16-19 802 claims 1, 2, 5, 7, 11, 12, 16-19 499 claims 1, 3 454 claims 1, 5, 8, 12	all of the defendants	<i>plain and ordinary meaning</i>	Restricted information, such as the account of the authorized user to be accessed in the transaction, personal information, credit data, medical history, financial account information, and secured physical locations	Restricted information or account of the authorized user to be accessed in the transaction and for which the authorized user controls access.	
5	messaging gateway	all of the defendants	<i>plain and ordinary meaning</i>	A device for use in transferring messages between a plurality of	A device for use in transferring messages between a	

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	079 claims 1, 11 802 claims 1, 11 499 claims 1, 3			communications channels by converting messages between a plurality of message formats.	plurality of communications channels by converting messages between a plurality of message formats.	
6	authorized user 079 claims 1, 2, 3, 8, 11, 12, 13, 18 802 claims 1, 2, 8, 11, 12, 18 499 claims 1, 3	all of the defendants	<i>plain and ordinary meaning</i>	A person or entity who has the right to grant access to a specific secured resource	A person or entity who has the right to grant access to a specific secured resource	
7	key string 079 claims 1, 11 802 claims 1, 5, 11 499 claims 1, 3 659 claims 1, 9 454 claims 1, 8	all of the parties	<i>string:</i> an ordered sequence of any subset of symbols selected from a set of symbols wherein each symbol forming the set may be represented in both a format that	A transaction specific ordered sequence, that may only be used for a single transaction, of any subset of symbols selected from a set of symbols, wherein each symbol forming	A one-time transaction specific ordered sequence of any subset of symbols selected from a set of symbols wherein each symbol forming the set may be	

	Claim Term, Phrase, or Clause	Proposing Party	Textile's Proposed Construction	Defendants' Proposed Construction (Excl. Schwab)	Schwab's Proposed Construction	Court's Construction
			<p>may be perceived by an end user and a format that may be recognized by software or hardware</p> <p><i>The claimed system/method must operate in a manner so that the “key string” does not reveal a common identifier of the secured resource to the unauthorized service client.</i></p>	<p>the set may be represented in both a format that may be perceived by an end user and a format that may be recognized by software or hardware, and where the sequence is known to the authorized user and the secured resource provider</p>	<p>represented in both a format that may be perceived by the requestor purporting to be an authorized user and a format that may be recognized by software or hardware, that cannot be known to or accessed by the service client, and that does not reveal a common identifier of the secured resource or any other information that would allow the unauthorized service client to gain access to the secured</p>	

	Claim Term, Phrase, or Clause	Proposing Party	Textile's Proposed Construction	Defendants' Proposed Construction (Excl. Schwab)	Schwab's Proposed Construction	Court's Construction
					resource without again obtaining authorization from the authorized user.	
8	key string known to both said secured resource and the authorized user 079 claims 1, 11	all defendants except Schwab	<i>plain and ordinary meaning</i>	Indefinite	Indefinite	
9	key string [being] adapted to provide a basis for authenticating the identity of said requester 079 claims 1, 11 802 claims 1, 11	all defendants except Schwab	<i>plain and ordinary meaning</i>	Indefinite	Indefinite	

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10	authentication credential 079 claims 1, 6, 11, 16 802 claims 1, 6, 11, 16 499 claims 1, 3 659 claims 1, 3, 7, 9, 11, 15 454 claims 1, 3, 7, 8, 10, 14	all of the defendants	<i>plain and ordinary meaning</i>	The key string used for verifying the identity of the requester or the validity of a request for access	A credential comprising at least the key string for authenticating an end-user's identity to authorize access to a secured resource by a service client.	
11	based upon passage of time 079 claims 6, 16 802 claims 6, 16 659 claims 7, 15 454 claims 7, 14	all of the defendants	<i>plain and ordinary meaning</i>	Indefinite	Indefinite	
12	a service user interface in communication	all of the defendants	<i>plain and ordinary meaning</i>	Indefinite	Indefinite	

	Claim Term, Phrase, or Clause	Proposing Party	Textile's Proposed Construction	Defendants' Proposed Construction (Excl. Schwab)	Schwab's Proposed Construction	Court's Construction
	with said server, said service user interface having a third set of instructions embodied in a computer readable medium operable to receive input from said unauthorized service client 079 claim 11 802 claim 11					
13	primary identifier 499 claims 1, 3	Schwab, Textile	the account number for a credit card or financial deposit account; the Social Security Number of a patient; the account number of an ATM card; or the like.	Indefinite	Indefinite	

	Claim Term, Phrase, or Clause	Proposing Party	Textile's Proposed Construction	Defendants' Proposed Construction (Excl. Schwab)	Schwab's Proposed Construction	Court's Construction
14	receiving at a messaging gateway having a first set of instructions embodied in a computer readable medium, said first set of instructions operable to receive a request for transaction specific access to a secured resource by a service client 499 claims 1, 3	all defendants except Schwab	<i>plain and ordinary meaning</i>	Indefinite	Indefinite	
15	common identifier 454 claims 1, 5, 8, 12	all of the parties	the account number for a credit card or financial deposit account; the Social Security Number of a patient; the	Identifying information for a particular secured resource (e.g., a credit card number, social security number,	Identifying information for a particular secured resource (e.g., a credit card number, social security	

	Claim Term, Phrase, or Clause	Proposing Party	Textile's Proposed Construction	Defendants' Proposed Construction (Excl. Schwab)	Schwab's Proposed Construction	Court's Construction
			account number of an ATM card; or the like.	ATM account number, etc.)	number, ATM account number, etc.)	

Dated: August 1, 2022

Respectfully submitted,

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